रजिस्ट्री सं० डी० एल०-33004/96 REGISTERED No. DL-33004/96

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 2
PART II—Section 2
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 34] नई दिल्ली, सोमवार, दिसम्बर 16, 1996 / अग्रहायण 25, 1918
No. 34] NEW DELHI, MONDAY, DECEMBER 16, 1996/AGRAHAYANA 25, 1918

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

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LOK SABHA

The following Bills were introduced in Lok Sabha on 16th December, 1996:—

BILL NO. 128 OF 1996

A Bill to repeal the Rice-Milling Industry (Regulation) Act, 1958.

BE it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Rice-Milling Industry (Regulation) Repeal Act, 1996. Short title.

2. The Rice-Milling Industry (Regulation) Act, 1958 is hereby repealed. Repeal of Act 21 of 1958.

Exceptions and modifications to Part IX of the Constitution.

4. Notwithstanding anything contained under Part IX of the Constitution, the Legislature of a State shall not make any law under that Part which is inconsistent with any of the following features, namely:—

(*a*) a State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources;

(*b*) a village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs;

(*c*) every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level;

(*d*) every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;

(*e*) every Gram Sabha shall—

(*i*) approve the plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the Panchayat at the village level;

(*ii*) be responsible for the identification or selection of persons as beneficiaries under the poverty alleviation and other programmes;

(*f*) every Panchayat at the village level shall be required to obtain from the Gram Sabha a certification of utilisation of funds by that Panchayat for the plans, programmes and projects referred to in clause (*e*);

(*g*) the reservation of seats in the Scheduled Areas at every Panchayat shall be in proportion to the population of the communities in that Panchayat for whom reservation is sought to be given under Part IX of the Constitution:

Provided that the reservation for the Scheduled Tribes shall not be less than one-half of the total number of seats:

Provided further that all seats of Chairpersons of Panchayats at all levels shall be reserved for the Scheduled Tribes;

(*h*) the State Government may nominate persons belonging to such Scheduled Tribes as have no representation in the Panchayat at the intermediate level or the Panchayat at the district level:

Provided that such nomination shall not exceed one-tenth of the total members to be elected in that Panchayat;

(*i*) the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State level;

(*j*) planning and management of minor water bodies in the Scheduled Areas shall be entrusted to Panchayats at the appropriate level;

(*k*) the recommendations of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory prior to grant of prospecting licence or mining lease for minor minerals in the Scheduled Areas;

(*l*) the prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory for grant of concession for the exploitation of minor minerals by auction;

II

BILL NO. 129 OF 1996

A Bill to repeal the Sugar Export Promotion Act, 1958.

BE it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Sugar Export Promotion (Repeal) Act, 1996. Short title.

2. The Sugar Export Promotion Act, 1958 is hereby repealed. Repeal of Act 30 of 1958.

STATEMENT OF OBJECTS AND REASONS

The export of sugar in the international market depends upon the quality of sugar produced and cost competitiveness. The export so far was being undertaken under the Sugar Export Promotion Act, 1958. Its provisions enjoined upon every manufacturer of sugar to accept part of the quantity allocated for export by the Government, regardless of their export capabilities. Recognising this draw back the existing Act also allowed export quantity allocated to individual factories to be exchanged. Since India has now emerged as a country capable of exporting large quantities of sugar, it is felt that long term capability for export should be encouraged amongst individual manufacturing units. With this objective in view, repeal of the existing Act is proposed so that individual units having necessary capability to produce export quality sugar at internationally competitive prices may be facilitated. Even after setting free the export it will still be possible under the Essential Commodities Act to regulate the total quantity of export. Within the over all prescribed export ceiling, promotion for individual exports would be governed under the Agricultural and Processed Food Products Export Development Authority Act, 1986. In view of the above, it is proposed to repeal the Sugar Export Promotion Act, 1958.

2. The Bill seeks to achieve the above object.

NEW DELHI;
The 3rd December, 1996.

DEVENDRA PRASAD YADAV.

PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117(1) AND 274(1) OF THE CONSTITUTION OF INDIA

[Copy of letter No. 1327/VIP/MOF & CS/96, dated the 6th December, 1996 from Shri Devendra Prasad Yadav, Minister of Food and Civil Supplies to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the Sugar Export Promotion (Repeal) Bill, 1996, to repeal the Sugar Export Promotion Act, 1958 (30 of 1958) recommends the introduction of the Bill in Lok Sabha under articles 117(1) and 274(1) of the Constitution.

S. GOPALAN,
Secretary-General.

PRINTED BY THE MANAGER GOVERNMNT OF INDIA PRESS (PLU) MINTO ROAD AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, NEW DELHI-1996.

MGIP(PLU)MRND—5064GI—19-12-96.